

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1 - 29 - 08

Norman C. Haworth
Signature

Norman C. Haworth
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
JAN 31 2008	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)

14 *Norman C. Haworth*

15 Norman C. Haworth

16 (Printed or typed Name)

17
18
19 (Entity, if any, on whose
20 behalf you are appearing)

21 31 Miller Ridge Rd

22 (Address)

23 465-2426

24 (Telephone number)

2/7/08

we do not wish to

Join this lawsuit.

Cyril W. Higgins

Cyril W. Higgins
Legal Guardian For
Iris Y. Higgins

TO: Susan L. Schneider, attorney for the United States of America

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Date: 1/28/08



If you are acting on behalf of any entity, identify that you are
acting as Trustee of the

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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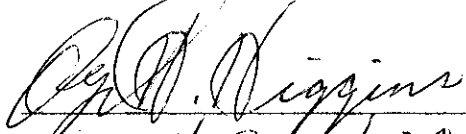
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Date: 1/28/08


Legal Guardian For
IRIS Y. HIGGINS

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Lyon County Assessor - Mozilla Firefox


File Edit View History Bookmarks Tools Help

Back Forward Reload Stop Home Adblock Plus Print New Tab http://www1.lyon-county.org/iwalk/asses Go Lyon county.As

Getting Started Latest Headlines

Lyon County, NV - Official Website - Asse... **Lyon County Assessor**

Additional Information



Assessor's Secured Property Roll

Note: will automatically disconnect if no activity for five minutes

Parcel Number Prior Parcel # Changed

Last Updated By Next Parcel # Changed

Ownership	Description	Sizes
Legal Owner	GRIFFIN, PATRICK H & KATHLEEN D	
Assessed Owner	GRIFFIN, PATRICK H & KATHLEEN D	
Mail Address	60 PENROSE LN	
	YERINGTON, NV 89447-0000	
Vesting Doc #, Date	402531 3/16/2007	
Year, Book, Page	00 000 000	
Map Document #s		
Force Assmt Notice		

http://www1.lyon-county.org/iwalk/assessor.html

Lyon County Assessor - Mozilla Firefox


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Getting Started Latest Headlines

Lyon County, NV - Official Website - Asse... **Lyon County Assessor**

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Parcel # 014-221-06 60 PENROSE LN MASON VALLEY

Current Owners

Date	Name
2007	GRIFFIN, PATRICK H & KATHLEEN D
2007	GRIFFIN, KATHLEEN D

Prior Owners

From	To	Name
2006	2007	GRIFFIN, PATRICK H
2006	2007	GRIFFIN, KATHLEEN D
2004	2005	HILL, MICHAEL L
2003	2004	LAMONDA, SCOTT W & TORI A
2003	2004	LAMONDA, TORI A
1996	2003	LAMONDA, SCOTT W
1986	1996	LAMONDA, TERRIL
1986	1996	LAMONDA, SCOTT W & TERRIL

Show Names Addresses

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http://www1.lyon-county.org/jwalk/assessor.html

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Additional Information



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Parcel #

Owner & Description

Legal Description

Tax Years

Personal Property

Ag Land

Exemptions

Livestock

Improvements | **Use & Appraisal Data** | **User-Defined**

Dwelling Units		Number of Stories		<input type="text" value="2.0"/>
Sngl-Fam Detached	<input type="text" value="1"/>	Basement Square Footage	<input type="text" value="704"/>	
Sngl-Fam Attached	<input type="text" value="0"/>	Number of Bedrooms	<input type="text" value="3"/>	
Multi-Fam Units	<input type="text" value="0"/>	Number of Bathrooms	<input type="text" value="2.00"/>	
Mobile Homes	<input type="text" value="0"/>	Mobile Home Hookups	<input type="text" value="0"/>	
Total Dwelling Units	<input type="text" value="1"/>	Wells	<input type="text" value="1"/>	
Non-Dwelling Units	<input type="text" value="0"/>	Septic Tanks	<input type="text" value="1"/>	
Garage Attached/Detached (A/D)	<input type="text" value="1"/>	Building Square Footage	<input type="text" value="1,440"/>	
Garage Square Footage	<input type="text" value="0"/>			

http://www1.lyon-county.org/iwalk/assessor.html

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Date: 9/29/07



Signature

Mark S Holdeman

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

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Date: 9/28/07

Robyn Holderman
Signature

ROBYN HOLDERMAN
Printed/Typed Name

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acting as: _____ of
(Title)

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Date: 2/11/08

Kathleen R. Swenson

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

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Date: 2-7-08

William J. Owen

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FILED
ENTERED
JUL 16 2007
CLERK US DISTRICT COURT
DISTRICT OF NEVADA
DEPUTY
SERVED ON
COUNSEL/PARTIES OF RECORD

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,) In Equity No. C-125-ECR
) Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,)
)
Plaintiff-Intervenor,) **DISCLAIMER OF INTEREST IN**
) **WATER RIGHTS AND NOTICE OF**
) **RELATED INFORMATION AND**
v.) **DOCUMENTATION SUPPORTING**
) **DISCLAIMER**
WALKER RIVER IRRIGATION)
DISTRICT,)
a corporation, et al.,)
)
Defendants.)

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Linleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed
6 ownership:

7 Name(s): *E. E. Willhoyt and Goldie D. Willhoyt*
8 *(now deceased)*

9 Street or P.O. Box:

10
11 Town or City: *Yerington NV.*

12
13 State:

14
15 Zip Code:

16
17 2. The name and address of each person or entity who acquired ownership

18
19 Name(s): *James A. Knudson*

20 *PO Box 996*

21 Street or P.O. Box:

22
23 Town or City: *Yerington NV*

24
25 State:

26
27 Zip Code: *89447*

Property was purchased
in 1965.

Well was installed
for personal use
only by Ogden Shilling
of Yerington NV 89447
Tel # 775-463-2071

James A. Knudson

1
2
3 3. Attached to or included with this notice is a copy of the (check appropriate
4 box(es)):

- 5
6 ☒ Deed
7 ☐ Court Order
8 ☐ Other Document.
9

10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
15 this litigation.

16 Executed this _____ day of _____ 200__
17
18
19
20
21

22 [signature of counter-defendant]
23
24
25

26 [name of counter-defendant]
27
28

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[name, if applicable, of person acting on
behalf of counter-defendant]

[signature, if applicable, of person acting on
behalf of Counter-Defendant]

[address]

[telephone number]

This Indenture, made the 22nd day of April one thousand nine hundred and sixty-five

Between E. E. Willhoyt and Goldie D. Willhoyt, husband and wife,

the part 1st of the first part,

and James A. Knudson,

Box 133 Yerington, Nevada

the part Y of the second part,

Witnesseth: That the said part 1st of the first part, in consideration of the sum of Ten and no/100 dollars, lawful money of the United States of America, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, and sell unto the said part Y of the second part, and to his heirs and assigns forever, all

the certain lot, piece or parcel of land situate in Mason Valley, County of Lyon, State of Nevada and bounded and described as follows, to-wit:

All that piece or parcel of land situated in the SW¹/₄ of NE¹/₄, Sec. 9, T. 13 N, R 26 E, MDB&M and more fully described as follows: Beginning at the Southwest corner of the SW¹/₄ of NE¹/₄, Sec. 9, T. 13 N, R 26 E, MDB&M, thence running East 330 feet to true point of beginning at Southwest corner of 10 acre parcel; Thence First course North 645 feet; thence second course East 660 feet; thence third course South 645 feet; thence fourth course West 660 feet to the place of beginning, making ten acres more or less.

Together with the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

To Have and to Hold the said premises, together with the appurtenances, unto the said part Y of the second part, and to his heirs and assigns forever

STATE OF NEVADA,

County of Lyon ss.

On this 26th day of April A. D., one thousand nine hundred and sixty-five personally appeared before me, Carl O. Galmstedt, a Notary Public in and for the said County of Lyon,

E. E. Willhoyt and Goldie D. Willhoyt, husband and wife, known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the County of Lyon, the day and year in this certificate first above written.

Carl O. Galmstedt
Notary Public in and for the County of Lyon, State of Nevada.

[Empty rectangular box for document content]

103790 APR 11	
TO	
Dated _____, 19__	
Recorded at the Request of <u>E. E. Wilbrey</u>	
<u>July 4</u> , 1967	
at <u>5</u> min. past <u>2</u> o'clock <u>P.</u> M.,	
in Volume <u>52</u>	
of <u>Week</u>	
page <u>319</u>	
By <u>Edward</u> County Records	
Recorder <u>Margaret Clayton</u>	
By <u>Robert Ward</u> Deputy Recorder	
A-1312-1W-1-63 FORM 454	

[Empty rectangular box for document content]

This Indenture, made the 22nd day of April one thousand nine hundred and sixty-five

Between E. E. Willhoyt and Goldie D. Willhoyt, husband and wife,

the part ies of the first part,

and James A. Knudson,

Box 133 YERINGTON, NEVADA

the party Y of the second part,

Witnesseth: That the said part ies of the first part, in consideration of the sum of Ten and no/100 dollars, lawful money of the United States of America, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, and sell unto the said part Y of the second part, and to his heirs and assigns forever, all the certain lot, piece or parcel of land situate in Mason Valley County of LYON State of Nevada and bounded and described as follows, to-wit:

All that piece or parcel of land situated in the $SW\frac{1}{4}$ of $NE\frac{1}{4}$, Sec. 9, T. 13 N, R 26 E, MDB&K and more fully described as follows: Beginning at the Southwest corner of the $SW\frac{1}{4}$ of $NE\frac{1}{4}$, Sec. 9, T. 13 N, R 26 E, MDB&K, thence running East 330 feet to true point of beginning at Southwest corner of 10 acre parcel; Thence First course North 645 feet; thence second course East 660 feet; thence third course South 645 feet; thence fourth course West 660 feet to the place of beginning, making ten acres more or less.

Together with the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

To Have and to Hold the said premises, together with the appurtenances, unto the said part Y of the second part, and to his heirs and assigns forever

STATE OF NEVADA,

County of LYON

ss.

On this 26th day of April A. D., one thousand nine hundred and sixty-five personally appeared before me, Carl O. Galmstedt, a Notary Public in and for the said County of LYON,

E. E. Willhoyt and Goldie D. Willhoyt, husband and wife,
known to me to be the persons described in and who executed the foregoing instrument, who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the County of LYON, the day and year in this certificate first above written.

Carl O. Galmstedt

Notary Public in and for the County of LYON, State of Nevada.

103790

Depd

TO

Dated _____, 19__

Recorded at the Request of

E. E. Wilkey

Feb 4, 1969

at *5* min. past *2* o'clock *P.* M.

in Volume *53* of _____

Deed

page *319*

Lyon
County Records.

Margaret Wilkey
Recorder.

By

Violet Ward

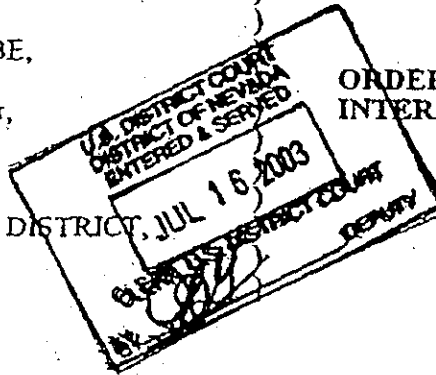
Deputy Recorder.

A-31912-1M-1-69 FORM 484

FILED ENTERED COUNSEL/PARTIES OF RECORD	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
JUL 16 2007	FILED JULY 9, 2003 3:03
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA	CLERK U.S. DISTRICT COURT DISTRICT OF NEVADA
DEPUTY	DEPUTY
UNITED STATES OF AMERICA,	IN EQUITY, NO. C-125 SUBFILE NO. C-125-B

Plaintiff,
WALKER RIVER PAIUTE TRIBE,
Plaintiff-Intervenor,
vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,



ORDER - DISCLAIMER OF
INTEREST

The following background information is provided to aid in understanding the reasons for and what is required by this Order.

1. The Court has ordered that certain persons and entities be included as parties in this action because they own water rights within one or more of the nine categories set forth in Paragraph 3 of the Court's April 18, 2000 Case Management Order.

2. It is possible that some of the specific persons or entities who are served with a Waiver of Service of Notice in Lieu of Summons, Notice of Lawsuit, or a Notice in Lieu of Summons do not belong in this action, because, for example, they may have sold or otherwise conveyed the ownership of all water rights subject to this action prior to being served.

3. A change in ownership of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of the land on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions, such as conveyance to an inter vivos trust or a limited liability company. Frequently, changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding, they may be accomplished by an order of a court. These examples are not an exclusive list of all of the

206

1 ways in which a change in ownership may occur.

2 4. It is important that the Court and the Plaintiffs be notified if a person or entity
3 who receives service by mail or personal service does not, in fact, have any ownership interest
4 in a water right in any of the nine categories set forth in Paragraph 3 of the Court's April 18,
5 2000 Case Management Order. In addition, that person or entity need not be burdened with
6 this litigation and, if there was a change in ownership, a new party may need to be added to the
7 action. Before any such person may be omitted from this action, certain information and
8 documents will have to be provided to the Plaintiffs and the Court.

9 Based upon the foregoing, it is hereby ORDERED as follows:

10 1. If any person or entity receiving service by mail or personal service has no
11 interest in any water right within any of the nine categories set forth in Paragraph 3 of the *Case*
12 *Management Order* (Apr. 18, 2000)^{1/}, that person or entity shall notify the Court and the

13
14 You should review the *Case Management Order* and *First Amended Counterclaims* filed
15 by the United States and by the Walker River Paiute Tribe, which are included in the materials
16 served upon you. For convenience, the nine categories of persons and entities that the Court
17 has ordered to be served and named are listed here:

- 18 1. Category 3.a.: The successors in interest to all water rights holders under the Decree
19 (April 14, 1936), modified, Order of Entry of Amended Final Decree to Conform to
20 Writ of Mandate, Etc. (April 24, 1940) ("Decree").
- 21 2. Category 3.b.: All holders of surface water rights under the laws of the States of
22 Nevada and California in the Walker River Basin who are not presently parties to this
23 adjudication.
- 24 3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by
25 the State of Nevada and domestic users of groundwater within Sub Basins 107 (Smith
26 Valley), 108 (Mason Valley), 110A (Schurz Subarea of the Walker Lake Valley), and
27 110B (Walker Lake Subarea of the Walker Lake Valley).
- 28 4. Category 3.d.: All holders of permits or certificates to pump groundwater issued by
the State of Nevada within Sub Basins 106 (Antelope Valley), 109 (East Walker), and
110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).
5. Category 3.e.: All users of groundwater for irrigation in California in the Walker
River Basin.

1 United States in writing of that fact.

2 2. If such person or entity sold or otherwise conveyed ownership of all of the water
3 rights that the person or entity once owned before they were served or otherwise brought into
4 this action, in addition to disclaiming any interest in this action, they shall include a notice
5 providing the following information:

- 6 A. The name and address of the person or entity who sold or otherwise
7 conveyed ownership;
8 B. The name and address of each person or entity who acquired ownership;
9 and
10 C. A copy of the deed, court order or other document by which the change
11 in ownership was accomplished.

12 3. The disclaimer and notice shall be sent to the Court and counsel for the United
13 States, addressed as follows:

14 Linda Lea Sharer, Chief Deputy Clerk
15 United States District Court for the District of Nevada
16 400 South Virginia Street, Suite 301
17 Reno, NV 895501

18 Susan L. Schneider
19 United States Department of Justice
20 P.O. Box 756
21 Littleton, CO 80160

22 4. The form and substance of the disclaimer and notice shall substantially conform
23 to the form attached to this Order as Exhibit A.

24 5. Following their receipt from any person or entity disclaiming any interest in any

25 6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws
26 of the State of Nevada within the Walker River Basin.

27 7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin
28 who currently use groundwater.

8. Category 3.h.: All municipal providers in California within the Walker River Basin
who currently use groundwater.

9. Category 3.i.: All industrial users in Nevada within the Walker River Basin who
currently use groundwater.

1 of the water rights at issue in this case of a Waiver of Service of Notice in Lieu of Summons
2 and any Disclaimers of Interest and accompanying information and documents sought by this
3 Order, Plaintiffs will review the materials received and, if appropriate, seek the Court's
4 concurrence in omitting that person or entity filing such materials from this case.


5 6. If Plaintiffs do not receive a Waiver of Service of Notice in Lieu of Summons
6 and must personally serve a person or entity that subsequently files a Disclaimer of Interest
7 pursuant to this Order, Plaintiffs will also review the materials received and, if appropriate,
8 seek the Court's concurrence in omitting the person or entity from this case, but that person or
9 entity may be subject to paying the costs related to formal personal service on them.

10 7. Despite the above provisions, any person or entity who files a Disclaimer of
11 Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
12 any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to
13 this litigation, shall nevertheless be bound by the results of this litigation.

14 8. Any person or entity subject to service under the Federal Rules of Civil
15 Procedure who receives notice of this action in the manner provided by Federal Rule of Civil
16 Procedure 4(d) remains subject to the duty to avoid unnecessary costs of serving the summons,
17 even if that person or entity ultimately disclaims any ownership interest in any of the water
18 rights described by Paragraph 3 of the Court's April 18, 2000 Case Management Order.

19 IT IS SO ORDERED:

20 Dated: July 9, 2003.

21
22 
23 The Honorable Robert A. McQuaid, Jr.
24 United States District Court Magistrate Judge
25
26
27
28

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

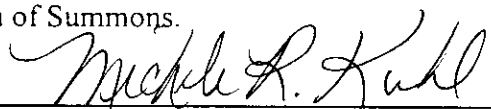
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-4-07


Signature

MICHELE R. KUHLE
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.


2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-4-07


Signature

Ronald H. Kahl
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

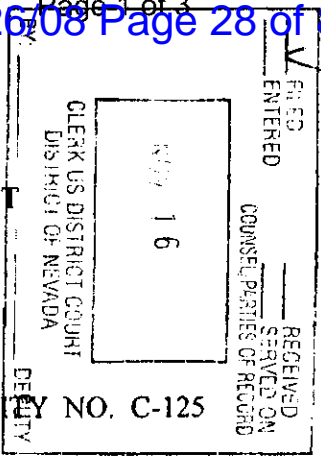
WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125
SUBFILE NO. C-125-B



NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

1 Phone Number:

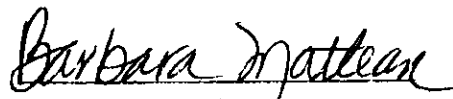
2 Fax Number:

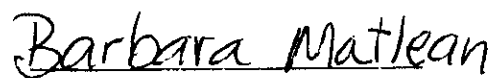
3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
12

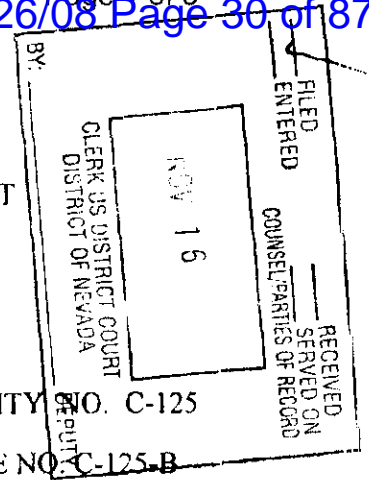
13 (Signature)

14 
15 (Printed or typed Name)

16
17 
18 (Entity, if any, on whose
19 behalf you are appearing)

20
21
22 (Address)

23 (Telephone number)
24
25
26
27
28



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125
SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

1 Phone Number: 775-220-2150

2 Fax Number:

3 E-mail Address:

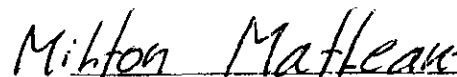
4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)

14 

15 (Printed or typed Name)

16
17 

18 (Entity, if any, on whose
19 behalf you are appearing)

20
21
22 (Address)

23 (Telephone number)

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
FEB 12 2008	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

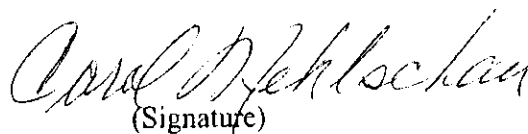
1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12 
13 (Signature)

14
15 CAROL MEHLISCH
16 (Printed or typed Name)

17
18
19 (Entity, if any, on whose
20 behalf you are appearing)

21 271 ANGELINA CR
22 WELLINGTON NV
23 (Address) 89444

24 775 465 1229
25 (Telephone number)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

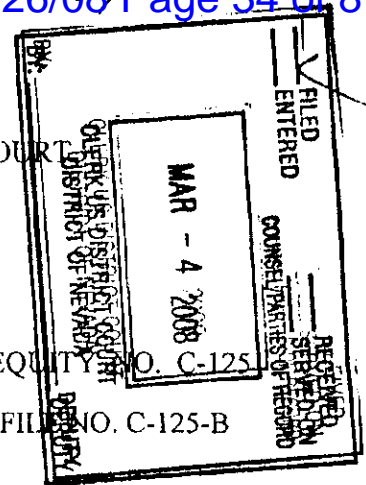
WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125
SUBFILE NO. C-125-B



NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

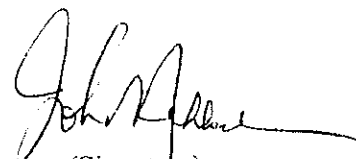
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2 Fax Number:

3 E-mail Address:

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7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 
14 (Signature)

15 John MEHLSCAU
16 (Printed or typed Name)

17
18
19 (Entity, if any, on whose
20 behalf you are appearing) Pc Box 238

21 271 Argentin Circle
22 Wellington NV. 89444
23 (Address)

24 775-901-6477
25 (Telephone number)

JOHN P. SCHLEGELMILCH, ESQ.
Nevada State Bar # 4379
30 Broadway Ave.
Yerington, NV 89447
(775) 463-3371 (Ph)
(775) 463-3373 (Fx)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125-ECR
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a Corporation, et. al.,)	
)	
Defendants.)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

COMES NOW, Defendant Water Right Holder, SUZANNE MILLER, by and through the Law Offices of John P. Schlegelmilch, Ltd., and John P. Schlegelmilch, Esq., and hereby enters his appearance in this sub-proceeding under the above entitled case.

By this appearance, Defendant Water Right Holder, SUZANNE MILLER, will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court. Defendant makes this Notice of Appearance and Intent to Participate under the terms of the CASE MANAGEMENT ORDER issued herein on the 18th day of April, 2000.

DATED THIS 24th day of October, 2007.

LAW OFFICES OF
JOHN P. SCHLEGELMILCH, LTD.

/s/ John P. Schlegelmilch
JOHN P. SCHLEGELMILCH, ESQ.
State Bar # 4379
30 Broadway Ave.
Yerington, NV 89447

Law Offices of John P. Schlegelmilch, Ltd.
A Professional Law Corporation
30 Broadway Avenue
Yerington, Nevada 89447
Ph: (775) 463-3371
Fx: (775) 463-3373

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

73-127

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

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Attorney:

Address:

<input checked="checked" type="checkbox"/> FILED <input type="checkbox"/> ENTERED	<input type="checkbox"/> RECEIVED <input type="checkbox"/> SERVED ON COUNSEL/PARTIES OF RECORD
MAR - 7 2008	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

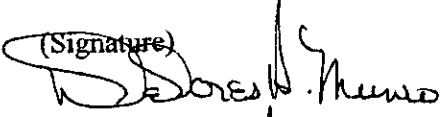
1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
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7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)
14 
15 Debra A. Munro
16 (Printed or typed Name)

17
18
19 (Entity, if any, on whose
20 behalf you are appearing)

21 185 Sunset Hills Dr.
22 Las Vegas, NV

23 (Address)


24 725-722-1661

25 (Telephone number)

J Walk - Ownership & Descriptive

(This image has been scaled to fit the page.)

Additional Information



Assessor's Secured Property Roll


Note: will automatically disconnect if no activity for five minutes

Parcel Number	014-371-20	Prior Parcel #	Charged
Last Updated	9/29/06	By EOWWING	Next Parcel #
			Charged

[Improvements, etc.](#)
[Legal Description](#)
[Tax Map](#)
[Personal Prop.](#)
[Eg Land](#)
[Exemptions](#)
[Livestock](#)

[Display Plat Map](#)

Plat Map display requires Adobe Reader (obtain)




Ownership	Description	Size
Legal Owner	BRAY, WILLIAM J SR	
Assessed Owner	BRAY, WILLIAM J SR	
Mail Address	13 VILLA REAL DR	
	YERINGTON, NV 89447-0000	
Vesting Doc #, Date	384237 6/05/2006	
Year, Book, Page	06 000 000	
Map Document #s	PM97491	
Force Assmt Notice		

[Ownership History](#)
[Document History](#)

[New Parcel Search](#)
[Previous Parcel](#)
[Next Parcel](#)

J Walk - Improvements, Use & Appraisal Data
 (This image has been scaled to fit the page.)

Additional Information



Assessor's Secured Property Roll

Note: will automatically disconnect if no activity for five minutes

Parcel # 014-371-20 251 MILLA REAL DR 35-14-26 FR N2NW4 MASON VALLEY

Owner & Description

Legal Description

Tax Years

Zoned and Prior

Ag Land

Exemptions

Livestock

Improvements **Use & Appraisal Data** **Use-Defined**

Dwelling Units	Number of Stories
Sngl-Fam Detached 0	Basement Square Footage 0
Sngl-Fam Attached 0	Number of Bedrooms 0
Multi-Fam Units 0	Number of Bathrooms 00
Mobile Homes 0	Mobile Home Hookups 0
Total Dwelling Units 0	Wells 0
Non-Dwelling Units 0	Septic Tanks 0
Garage Attached/Detached (A/D) 0	Building Square Footage 0
Garage Square Footage 0	

New Parcel Search
Previous Parcel
Next Parcel

J Walk - Ownership History - Names Only

(This image has been scaled to fit the page.)

Additional Information



Assessor's Secured Property Roll

Note: will automatically disconnect if no activity for five minutes

Parcel # 014371-20

25

VILLAREAL DR 35-14-26 FR. N2NW4

MASON VALLEY

Current Owners

Date	Name
2006	BRAY, WILLIAM J SR

Prior Owners

From	To	Name
2005	2006	NELSON, HENRY P JR & JOAN G
2005	2006	NELSON, JOAN G
2005	2005	SHAFFER, TED
1985	2005	DALBEY, MARION E TR

Show Names & Addresses

Back

Previous Parcel

Next Parcel

Other Systems

1 JOHN P. SCHLEGELMILCH, ESQ.
2 Nevada State Bar # 4379
3 30 Broadway Ave.
4 Yerington, NV 89447
5 (775) 463-3371 (Ph)
6 (775) 463-3373 (Fx)

7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,)	
)	
11 Plaintiff,)	
)	
12 WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125-ECR
)	
13 Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
14 vs.)	
)	
15 WALKER RIVER IRRIGATION DISTRICT,)	
a Corporation, et. al.,)	
)	
16 Defendants.)	

17 **NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE**

18 COMES NOW, Defendant Water Right Holder, BIRDELLA OHL, by and through the Law
19 Offices of John P. Schlegelmilch, Ltd., and John P. Schlegelmilch, Esq., and hereby enters his
20 appearance in this sub-proceeding under the above entitled case.

21 By this appearance, Defendant Water Right Holder, BIRDELLA OHL, will retain all
22 defenses or objections to the lawsuit or to the jurisdiction or venue of the Court. Defendant makes
23 this Notice of Appearance and Intent to Participate under the terms of the CASE MANAGEMENT
24 ORDER issued herein on the 18th day of April, 2000.

25 DATED THIS 24th day of October, 2007.

26 LAW OFFICES OF
27 JOHN P. SCHLEGELMILCH, LTD.

28 /s/ John P. Schlegelmilch
JOHN P. SCHLEGELMILCH, ESQ.
State Bar # 4379
30 Broadway Ave.
Yerington, NV 89447

Law Offices of John P. Schlegelmilch, Ltd.
A Professional Law Corporation
30 Broadway Avenue
Yerington, Nevada 89447
Ph: (775) 463-3371
Fx: (775) 463-3373

JOHN P. SCHLEGELMILCH, ESQ.
Nevada State Bar # 4379
30 Broadway Ave.
Yerington, NV 89447
(775) 463-3371 (Ph)
(775) 463-3373 (Fx)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125-ECR
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a Corporation, et. al.,)	
)	
Defendants.)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

COMES NOW, Defendant Water Right Holder, ROBERT OHL, by and through the Law Offices of John P. Schlegelmilch, Ltd., and John P. Schlegelmilch, Esq., and hereby enters his appearance in this sub-proceeding under the above entitled case.

By this appearance, Defendant Water Right Holder, ROBERT OHL, will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court. Defendant makes this Notice of Appearance and Intent to Participate under the terms of the CASE MANAGEMENT ORDER issued herein on the 18th day of April, 2000.

DATED THIS 24th day of October, 2007.

LAW OFFICES OF
JOHN P. SCHLEGELMILCH, LTD.

/s/ John P. Schlegelmilch
JOHN P. SCHLEGELMILCH, ESQ.
State Bar # 4379
30 Broadway Ave.
Yerington, NV 89447

Law Offices of John P. Schlegelmilch, Ltd.
A Professional Law Corporation
30 Broadway Avenue
Yerington, Nevada 89447

Fx: (775) 463-3373

Ph: (775) 463-3371

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2/2/08

Palya Family Trust dated MAY 8th, 1996
Jimmie Palya - Trustee
Thomas A. Palya

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

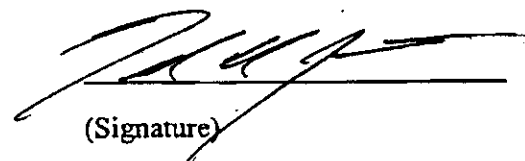
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings. I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney: Brad M. Johnston, Esq.
Nevada Bar No. 8515
Hale Lane Peek Dennison and Howard

Address: 5441 Kietzke Lane, Second Floor
Reno, Nevada 89511

Phone Number: (775) 327-3000

Fax Number: (775) 786-6179



(Signature)

Brad M. Johnston, Esq.

(Printed or typed Name)

David Wallace Park
Mary Kathleen Park
W B Park & Sons LLC

(Entity, if any, on whose
behalf you are appearing)

5441 Kietzke Lane, Second Floor

Reno, Nevada 89511

(Address)

(775) 327-3000

(Telephone number)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

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Reno, Nevada 89501

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Attorney:

Address:

1 Phone Number:

2 Fax Number:

3 E-mail Address:

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11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)

Paul Patrick

PAUL PATRICK

14
15 (Printed or typed Name)

16
17
18 (Entity, if any, on whose
19 behalf you are appearing)

9 Knudson LLC

YERLINGER LLC

20
21 (Address)

89447

22
23 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

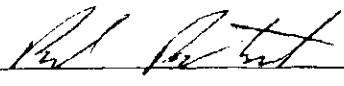
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date: 1/31/08



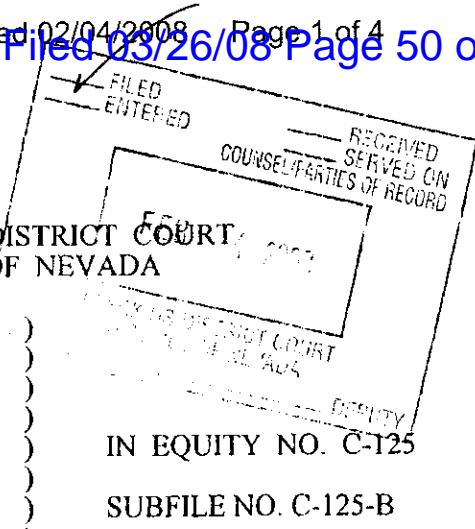
If you are acting on behalf of any entity, identify that you are
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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,

WALKER RIVER PAIUTE TRIBE,
Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125
SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

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Attorney:

Address:

1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)

14 *Robert L Patrick*
15 Robert L Patrick

16 (Printed or typed Name)

17
18
19 (Entity, if any, on whose
20 behalf you are appearing)

21 9 Knudsen Dr
22 Verington, NV
23 (Address) 89417

24
25 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

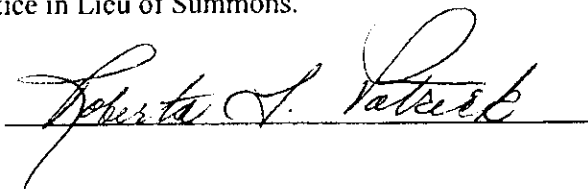
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1-31-08



If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America.

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-22-07

Charlotte Pillow
Charlotte Pillow, Trustee

If you are acting on behalf of any entity, identify that you are
acting as Trustee of the

Pillow Family Trust

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,	)	IN EQUITY NO. C-125
)	
Plaintiff-Intervenor,	)	SUBFILE NO. C-125-B
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

Phone Number:

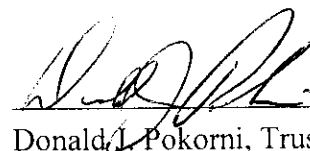
Fax Number:

E-mail Address:

PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

(Signature)



Donald J. Pokorni, Trustee

Donald J. Pokorni Trust

(Entity, if any, on whose
behalf you are appearing)

23 Garms Circle

Smith, NV 89430

(Address)

775-465-1234

(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.


2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date: 1/20/08


M. POWELL

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)



14
15 MIKE PASEU

16 (Printed or typed Name)

17
18
19 (Entity, if any, on whose
20 behalf you are appearing)

21 531 HUBO

22 OF CA 94122

23 (Address)

24 415 759 6453

25 (Telephone number)

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

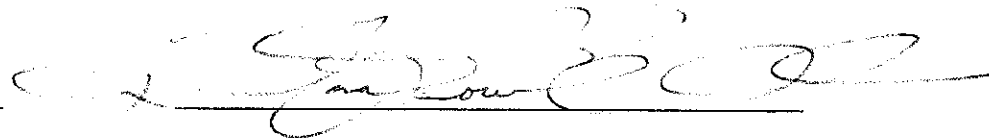
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Date: 1/30/08



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acting as Trustee of the

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)

14
15 TANA POWELL

16 (Printed or typed Name)

17
18
19 (Entity, if any, on whose
20 behalf you are appearing)

21 531 HAWTHORNE ST.

22 SF CA 94127

23 (Address)

24 415-759-6453

25 (Telephone number)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,	)	In Equity No. C-125-ECR
	)	Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,)	
	)	NOTICE OF CHANGE OF
Plaintiff-Intervenor,	)	OWNERSHIP OF WATER RIGHT
)	
v.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.,)	
)	
Defendants.)	

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Thomas Balbo
Name(s)
13600 Shaker Blvd., #205
Street or P.O. Box

Cleveland OH 44120
Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

Dennis Roe and Shannon M. Roe

Name(s)

P. O. Box 774

Street or P.O. Box

Yerington NV 89447
Town or City State ZipCode

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed
☐ Court Order
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation.

Executed this 17 day of July 2007.



[signature of counter-defendant]

Thomas Balbo

[name of counter-defendant]

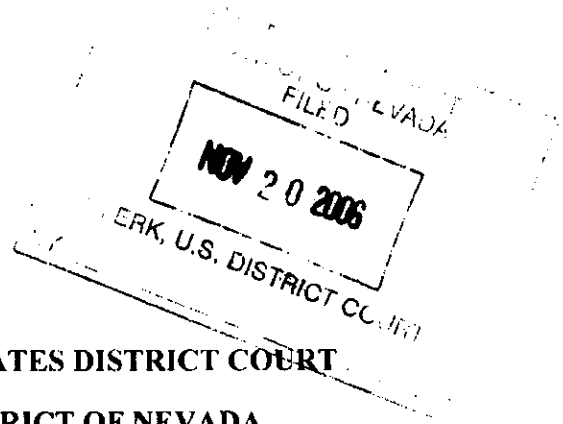
[signature, if applicable, of person acting on behalf of counter-defendant]

[name, if applicable, of person acting on behalf of counter-defendant]

13600 Shaker Blvd #205
Cleveland, OH 44120
[address]

216-561-1613
[telephone number]

1 JOHN P. SCHLEGELMILCH, ESQ.
2 Nevada State Bar # 4379
3 30 Broadway Ave.
4 Yerington, NV 89447
5 (775) 463-3371 (Ph)
6 (775) 463-3373 (Fx)



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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a Corporation, et. al.,

Defendants.

IN EQUITY NO. C-125-ECR

SUBFILE NO. C-125-B

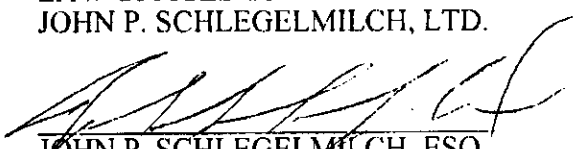
NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

COMES NOW, Defendant Water Right Holder, FREDERICK E. SELLERS, by and through the Law Offices of John P. Schlegelmilch, Ltd., and John P. Schlegelmilch, Esq., and hereby enters his appearance in this sub-proceeding under the above entitled case.

By this appearance, Defendant Water Right Holder, FREDERICK E. SELLERS, will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court. Defendant makes this Notice of Appearance and Intent to Participate under the terms of the CASE MANAGEMENT ORDER issued herein on the 18th day of April, 2000.

DATED THIS 17th day of November, 2006.

LAW OFFICES OF
JOHN P. SCHLEGELMILCH, LTD.


JOHN P. SCHLEGELMILCH, ESQ.
State Bar # 4379
30 Broadway Ave.
Yerington, NV 89447

Law Offices of John P. Schlegelmilch, Ltd.
A Professional Law Corporation
30 Broadway Avenue
Yerington, Nevada 89447

Fx: (775) 463-3373

Ph: (775) 463-3371

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Law Offices of John P. Schlegelmilch, Ltd. and that on this date I caused the NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to be delivered to all parties to this action by:

XXXX placing a true copy thereof in a sealed, stamped envelope, with the United States Postal Service at Yerington, Nevada

_____ personal delivery

_____ Facsimile (FAX)

_____ Federal express or other overnight delivery

addressed to the following:

Susan Schneider, Esq.
U.S. Dept. of Justice
Environment & Natural Resources Div.
P.O. Box 756
Littleton, CO 80160
Attorney for United States of America

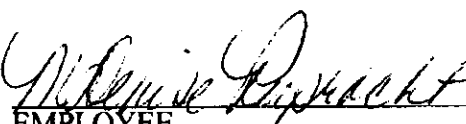
Marta Adams, Esq.
100 N. Carson St.
Carson City, NV 89701
Attorney for State of Nevada

Wes Williams, Jr. Esq.
Law Offices of Wes Williams, Jr.
P.O. Box 100
Schurz, NV 89427
Attorney for Walker River Paiute Tribe

Michael W. Neville, Esq.
Deputy Attorney General
California Attorney General Office
455 Golden Gate Ave., Ste 11000
San Francisco, CA 94102-3664
Attorney for State of California

Gordon DePaoli, Esq.
Woodburn & Wedge
P.O. Box 2311
Reno, NV 89505-2790
Attorney for Walker River Irrigation District

DATED this 17th day of November, 2006.


EMPLOYEE
Law Offices of John P. Schlegelmilch, Ltd.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

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Attorney:

Address:

1 Phone Number:

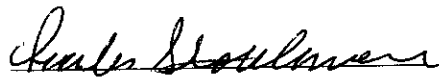
2 Fax Number:

3 E-mail Address:

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5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
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11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)

14 

15 (Printed or typed Name)

16
17 CHARLES STOTTEMEYER

18
19 (Entity, if any, on whose
20 behalf you are appearing)

21
22 (Address)

23
24 (Telephone number)

UNITED STATES OF AMERICA,)
)
Plaintiff,) In Equity No. C-125-ECR
) Subfile No. C-125-B
WALKER RIVER PAIUTE TRIBE,)
) **NOTICE OF CHANGE OF**
Plaintiff-Intervenor,) **OWNERSHIP OF WATER RIGHT**
)
v.)
)
WALKER RIVER IRRIGATION DISTRICT,)
a corporation, et al.,)
)
Defendants.)
)

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

Street or P.O. Box

Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

CHARLES E. & EDNA STOTTLEMEYER

Name(s)

2 PANAVISTA CIRCLE

Street or P.O. Box

YERINGTON, NV 89447

Town or City State ZipCode

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed
☐ Court Order
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

* This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
 United States District Court for the District of Nevada
 400 South Virginia Street, Suite 301
 Reno, NV 89501

And

Susan L. Schneider
 United States Department of Justice
 P.O. Box 756
 Littleton, CO 80160

such a notice, but retains such water rights, shall nevertheless be bound by the results of this litigation.

Executed this 06 day of Sept 2007.

Charles Stottmeyer
[signature of counter-defendant]

CHARLES STOTTMAYER
[name of counter-defendant]

[signature, if applicable, of person acting on
behalf of counter-defendant]

[name, if applicable, of person acting on
behalf of counter-defendant]

[address]

[telephone number]

D E E D

THIS INDENTURE made this 9th day of November, 1977, between LAZY TWO T RANCH, INC., a Nevada corporation, of 3603 Aldo Lane, Ukiah, California, First Party, and CHARLES E. STOTTLEMEYER, JR., and EDNA G. STOTTLEMEYER, husband and wife, of 788 Miramar Terrace, Belmont, California 94002, Second Parties,

W I T N E S S E T H:

That First Party, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, and other valuable consideration, to it in hand paid by the said Second Parties, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, and convey and confirm unto the said Second Parties, with the right of survivorship and to the survivor of them, as joint tenants and not as tenants in common, their assigns, and to the heirs and assigns of the survivor thereof, all its right, title, and interest in and to that certain lot, piece, or parcel of land situate in the County of Lyon, State of Nevada, and more particularly described as follows, to-wit:

Lots 40 and 41 of Panavista Estates Subdivision No. 1 as shown on the Official Map thereof filed for record on April 6, 1972, as Document No. 09926, Maps of Lyon County, Nevada records.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises,

1 together with the appurtenances, unto said Second Parties,
 2 with right of survivorship and to the survivor of them, as
 3 joint tenants and not as tenants in common, their assigns,
 4 and to the heirs and assigns of such survivor thereof.

5 IN WITNESS WHEREOF, First Party has hereunto set its
 6 hand the day and year first above written.

7
 8 LAZY TWO T RANCH, INC.,
 a Nevada corporation

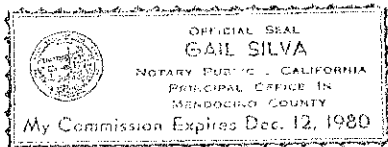
9
 10 By Frank M. Tunzi
 FRANK M. TUNZI, President

11
 12 By Nancy A. Tunzi
 NANCY A. TUNZI, Secretary

13 STATE OF CALIFORNIA)
 14) ss.
 COUNTY OF Mendocino)

15 On this 9th day of November, 1977, before
 16 me, a notary public, personally appeared FRANK M. TUNZI, President
 17 and NANCY A. TUNZI, Secretary, of LAZY TWO T RANCH, INC., who
 18 acknowledged to me that they executed the foregoing Deed.

19
 20 Gail Silva Notary Public



35473

Title Service & Escrow Co.
 1200 E. 6th St.
 Ukiah, CA 95568
 707/462-3105

Parcel Number 004-384-05 Owner STOTTLEMEYER, CHARLES E JR ETAL LY
Location 2 PANAVISTA CIR Town MASON VALLEY

Improvements

Case 3:73-cv-00127-MMD-WGC Document 3 Filed 03/26/08 Page 74 of 87

Sngl-Fam Attached.....	1	Non-Dwell Units.....	0	Sq Ft Garage.....	0	Att/Det.....	
Sngl-Fam Attached.....	0	MH Hookups.....	0	# Bdrms..	4	#Baths..	2.00
Mult-Fam Units.....	0	Wells.....	1	# of Stories.....			1.0
Mobile Homes.....	0	Septic Tanks.....	1	Sq Ft Basement.....			496
Tot Dwell Units:	1	SqFt Bldgs	1,966	Sq Ft Fin Basement.....			0

Use/Appraisal Data

Current Land Use Code.: 200 (To change, go to Tax Year Data screen)
Zoning Code(s)..... RR1
Special Ownership..... Special Prop..... Class.....
Re-appraisal Group..... 03 Factoring Group... 00 Developer Discount.
Re-appraisal Year..... 2001 Orig Constr Year.. 1978 Weighted Year..... 0

User-defined Fields: 1st Set.....(F11=Show 2nd set of fields)..

Mobile Home Sq Ft.....		Smaller Residence Sq Ft.	
Other Building Sq Ft....		Attached Garage Sq Ft...	616
Commercial Sq Ft.....		Detached Garage Sq Ft...	

F9=Scan >/< > F10=Other Functions F12=Cancel F13=Ownership/Description
F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 (Signature)

14 *Edna Stottlemeyer*

15 (Printed or typed Name)

16
17 EDNA STOTTEMEYER

18
19 (Entity, if any, on whose
20 behalf you are appearing)

21
22 (Address)

23 (Telephone number)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)

Plaintiff,) In Equity No. C-125-ECR

) Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,)

Plaintiff-Intervenor,) **DISCLAIMER OF INTEREST IN**
) **WATER RIGHTS AND NOTICE OF**
) **RELATED INFORMATION AND**
) **DOCUMENTATION SUPPORTING**
) **DISCLAIMER**

v.

WALKER RIVER IRRIGATION)

DISTRICT,)

a corporation, et al.,)

Defendants.)

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, **disclaims all interest in this action.**

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed
6 ownership:

7 Name(s):

8
9 Street or P.O. Box:

10
11 Town or City:

12
13 State:

14
15 Zip Code:

16 2. The name and address of each person or entity who acquired ownership

17
18 Name(s): CHARLES & EDNA STOTTLEMEYER

19
20 Street or P.O. Box: 2 PANAVISTA CIRCLE

21
22 Town or City: YERINGTON, NV

23
24 State: NEVADA

25
26 Zip Code: 89447

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☒ Deed
☐ Court Order
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this 06 day of Sept 2007.

Edna Stottlemeyer
[signature of counter-defendant]

EDNA STOTTHEMEYER
[name of counter-defendant]

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[name, if applicable, of person acting on
behalf of counter-defendant]

[signature, if applicable, of person acting on
behalf of Counter-Defendant]

[address]

[telephone number]

TSI 3482
RPTT \$7.15

D E E D

THIS INDENTURE made this 9th day of November, 1977, between LAZY TWO T RANCH, INC., a Nevada corporation, of 3603 Aldo Lane, Ukiah, California, First Party, and CHARLES E. STOTTEMEYER, JR., and EDNA G. STOTTEMEYER, husband and wife, of 788 Miramar Terrace, Belmont, California 94002, Second Parties,

W I T N E S S E T H:

That First Party, for and in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, and other valuable consideration, to it in hand paid by the said Second Parties, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, and convey and confirm unto the said Second Parties, with the right of survivorship and to the survivor of them, as joint tenants and not as tenants in common, their assigns, and to the heirs and assigns of the survivor thereof, all its right, title, and interest in and to that certain lot, piece, or parcel of land situate in the County of Lyon, State of Nevada, and more particularly described as follows, to-wit:

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TO HAVE AND TO HOLD, all and singular the said premises,

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3 joint tenants and not as tenants in common, their assigns,
4 and to the heirs and assigns of such survivor thereof.

5 IN WITNESS WHEREOF, First Party has hereunto set its
6 hand the day and year first above written.

7
8 LAZY TWO T RANCH, INC.,
a Nevada corporation

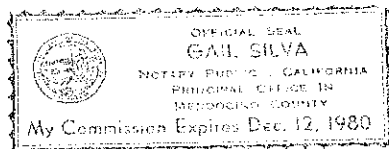
9
10 By Frank M. Tunzi
FRANK M. TUNZI, President

11
12 By Nancy A. Tunzi
NANCY A. TUNZI, Secretary

13 STATE OF CALIFORNIA)
14 COUNTY OF Mendocino) ss.

15 On this 9th day of November, 1977, before
16 me, a notary public, personally appeared FRANK M. TUNZI, President
17 and NANCY A. TUNZI, Secretary, of LAZY TWO T RANCH, INC., who
18 acknowledged to me that they executed the foregoing Deed.

19 Gail Silva
20 GAIL SILVA Notary Public



THE SERVICE & ESCROW CO.
730 W. 6th St. 3:05

75473

Parcel Number 004-384-05 Owner STOTTLEMEYER, CHARLES E JR ETAL LY
Location 2 PANAVISTA CIR Town MASON VALLEY

Improvements

Case 3:73-cv-00127-MMD-WGC Document 3 Filed 03/26/08 Page 83 of 87

Sngl-Fam Attached.....	1	Non-Dwell Units.....	0	Sq Ft Garage.....	0	Att/Det.....	
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F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years
F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date:

10/10/07

Signature

Mrs. Gayle P. Szetedy
Gayle A. Szetedy

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

<input checked="" type="checkbox"/> FILED <input type="checkbox"/> ENTERED	<input type="checkbox"/> RECEIVED <input type="checkbox"/> SERVED ON COUNSEL/PARTIES OF RECORD
JAN 9 2008	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12 

13 (Signature)

14
15 MICHAEL J. TORNEELLO

16 (Printed or typed Name)

17
18
19 (Entity, if any, on whose
20 behalf you are appearing)

21 27 HARVEY LANE
WELLINGTON, NV 89444

22 (Address)

23 775-465-9840

24 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

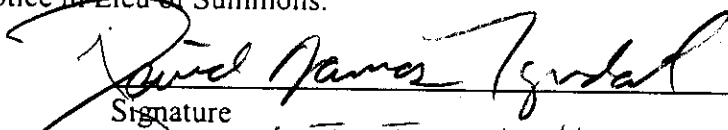
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date: 2/2/08



Signature

David J. Tyndall

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: _____ of (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.